

**REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicants thank the Examiner for indicating that claim 6 contains allowable subject matter.

**Disposition of Claims**

Claims 1, 2, 4, and 6-11 are pending in this application. Claim 1 is independent. The remaining claims depend, directly or indirectly, from claim 1.

**Objection**

Claim 6 was objected to for depending from a rejected base claim. Claim 6 has been cancelled in this reply. Thus, this objection is now moot.

**Rejection under 35 U.S.C § 103**

Claims 1, 2, 4, and 7-11 stand rejected under 35 U.S.C. § 103 as being obvious over U.S. Patent No. 4,954,395, issued to Hasegawa et al. ("Hasegawa"). Claim 1 has been amended in this reply to include the limitation of allowable claim 6 that requires that the binder include a polyester resin as a main component by weight. This amendment was made to clarify the present invention recited and no new matter has been added by way of this amendment. Support for the amendment may be found at least at page 9, first paragraph, of the original specification. To the extent that this rejection may still apply to the amended claims, the rejection is respectfully traversed.

As noted by the Examiner on pp. 2-3 of the Office Action, Hasegawa teaches

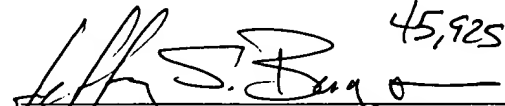
away from the use of polyester in the ink transporting layer by omitting polyester from the list of examples of binder for the ink transporting layer in Col. 5 and then including polyester in the list for the ink retaining layer in Col. 6. Therefore, the inclusion of the polyester limitation in amended claim 1, from which the remaining claims depend, renders all pending claims patentable over Hasegawa. Accordingly, withdrawal of this rejection is respectfully requested.

### Conclusion

Applicants believe this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 03310.017001).

Date: 6/6/04

Respectfully submitted,

 45,925  
Jonathan P. Osha, Reg. No. 33,986  
OSHA & MAY L.L.P.  
One Houston Center, Suite 2800  
1221 McKinney Street  
Houston, TX 77010  
Telephone: (713) 228-8600  
Facsimile: (713) 228-8778